

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

ROBERT HAGEN AND  
DALE HAGEN,

Plaintiffs,

No. 08-1197

U-HAUL CO. OF TENNESSEE;  
KEITH O'BRIEN INDIVIDUALLY,  
AND D/B/A WEST TENNESSEE MOVING  
COMPANY; RONALD MATHISON,  
INDIVIDUALLY, AND D/B/A GOLDEN EAGLE  
TRANSPORTATION; U-HAUL  
INTERNATIONAL, INC.; U-HAUL CO.  
OF ARIZONA; AND GENERAL MOTORS  
CORPORATION,

Defendants.

---

ORDER DISMISSING WITHOUT PREJUDICE MOTIONS TO DISMISS BECAUSE OF  
BANKRUPTCY STAY

---

Defendant, General Motors Corporation ("GM"), filed two motions to dismiss in this case—one on March 3, 2009, and the other on May 1, 2009. (Docket Entry ("D.E") Nos. 30 and 32.) Subsequently, on June 9, 2009, GM filed a notice of bankruptcy with this Court. (D.E. No. 45.) This bankruptcy operates, *inter alia*, to stay "any new or further action against General Motors Corporation [. . .] pursuant to section 362 of the Bankruptcy Code." (*Id.* at p. 1.) Inasmuch as this bankruptcy stay prevents the Court from proceeding as to any motions that will affect GM's rights or legal status as a party to this case—either positively or negatively—the Court hereby DISSMISSES WITHOUT PREJUDICE GM's two pending motions to dismiss. If and when the bankruptcy stay is lifted as to GM, it is free to re-file its motions to dismiss at that time if it so chooses.

**IT IS SO ORDERED** this, the 17th day of February, 2010.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE